

Remarks

Reconsideration of the above-referenced application is respectfully requested.

The entry of the present amendment is respectfully requested.

The specification has been amended to update the parent application information on page 1.

In the Notice of Allowability, the Examiner canceled claims 9-13. Authorization for this amendment was given by the undersigned in a telephone interview with the Examiner on March 20, 2006. The Examiner indicated that the amendment was necessary because claims 9-13 were directed to a separate invention and, further, because claim 9 was indefinite due to its dependence on claim 1.


In a telephone interview with the Examiner today, the undersigned proposed amending claim 9 to include the structural limitations of claim 1. However, the Examiner stated that such an amendment would be improper since prosecution of the application has been closed.

Nonetheless, applicants request that the Examiner enter the present amendment in the interests of expediency and economy. Although applicants can file a divisional application for claims 9-13, such an action would delay the issuance of these claims and subject applicants to additional costs. In addition, the processing and examination of a divisional application would require the expenditure of considerable time and effort by the Patent Office.

Also, the protection that would be derived from a divisional application would not differ substantially from that afforded by the present application. By incorporating the structural limitations of claim 1 into claim 9, the method of claim 9 cannot be practiced without the apparatus of claim 1. In effect, this amendment makes claims 9-13 dependent on claim 1. Consequently, if this amendment is accepted, claims 9-13 would no longer be subject to a restriction requirement.

Therefore, applicants respectfully request that the Examiner enter the present amendment and allow claims 9-13.

Respectfully submitted,



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Date: April 25, 2006